



Organized Village of Kake

P.O. Box 316

Kake, Alaska 99830-0316

Telephone 907-785-6471

Fax 907-785-4902 / www.kake-nsn.gov

(Federally Recognized Tribal Government serving the Kake, Alaska area)



FOOD SECURITY EMERGENCY DECLARATION CODE

Section 1. Purpose and Authority

The OVK Tribal government has a duty to protect the Health and Welfare of tribal citizens, as described in Article V section 1(1) of the OVK Tribal Constitution. Through its inherent sovereignty, the Tribal government has responsibility to provide for food security and prevent against the real threat of public health crises that threaten the ability of tribal citizens to eat their Native foods during times their immune systems absolutely need the nutrition provided by their lands, waters, and animals, as well as during times of potential starvation of tribal citizens, since time immemorial and continues to have the same responsibility today. Through this ordinance, the OVK Tribal Council is taking legal responsibility and duly authorizing individuals to hunt and fish to provide traditional foods for the Tribe in Kake's traditional territory. (see attached map)

Section 2. Food Security Emergency Declaration

Following a Disaster Declaration, the OVK Tribal Council shall declare a *Food Security Emergency* upon a finding that there is a severe lack of direct and immediate access to the food necessary to sustain community health and welfare and/or support strengthening tribal citizen immune systems during public health crises. Additionally, they may find, though it is not required, that the western food supply chain has been delayed, interrupted, or offers a diminished variety of foods and there is a reasonable expectation that it will continue, and that lack of access to food is adversely impacting the health and welfare of the tribal community.

Section 3. Emergency Tribal Hunter/Fisher/Gatherer Permits

Upon a finding of and declaration of a Food Security Emergency and in order to provide for the specific food security needs of the tribe and tribal community, the OVK Tribal Council shall issue *Emergency Tribal Hunter/Fisher/Gatherer Permits* to specific individuals identified by the Council. The permit will describe the individual hunting/fishing/gathering as an agent of the tribal government as well as the specific dates the permit is valid.

“Section 4. Distribution of Food Resources.

The Organized Village of Kake Council, or its designee, shall oversee and be responsible for managing the distribution of any food resources obtained under *Emergency Tribal Hunter/Fisher Permits* to its tribal citizens.”

Section 5. Dispute Resolution, Permit Enforcement, and Sovereign Immunity.

The Organized Village of Kake Tribal Court (“OVK Tribal Court”), also known as the Keex’ Kwaan Peacemaking Court, shall have exclusive jurisdiction over any disputes relating to this



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Food Security Emergency Declaration Code ("Code") including any disputes relating to *Emergency Tribal Hunter/Fisher/Gatherer Permits* and any disputes relating to unpermitted harvests by OVK tribal citizens. Any person that is issued an *Emergency Tribal Hunter/Fisher/Gatherer Permit* is hereby expressly subject to the jurisdiction of the OVK Tribal Court. In addition to any authority and jurisdiction granted by the Keex' Kwaan Judicial Peacemaking Code, the OVK Tribal Court shall have jurisdiction to enforce the permits and to issue and enforce citations for violations of permit terms and for unpermitted harvest. Nothing in this Code or in this Section creates any jurisdiction over or authorizes any suit against the Organized Village of Kake ("OVK"), the OVK Tribal Council or individual Councilmembers, the OVK Tribal Court, or any other OVK officials relating to their administration of this Code. OVK expressly does not waive its sovereign immunity from suit and nothing in this Code or in this Section shall be construed as a waiver of its sovereign immunity.

CERTIFICATE OF ADOPTION

This Code was submitted to a vote of the OVK Tribal Council on 7/23/2020, and was duly (adopted) (rejected) by a vote of 3 for and 0 against, during a regularly scheduled meeting of the Council for which notice was posted and tribal members had an opportunity to attend and voice their opinions, ideas and concerns about this Codes.

Joel Jackson President

Saimon Jackson Secretary/Treasurer